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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,407	02/27/2002	Philippe Lesage	L7307.02110	7381

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EXAMINER

MICHALSKI, JUSTIN I

ART UNIT	PAPER NUMBER
2644	4

DATE MAILED: 11/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/083,407

Applicant(s)

LESAGE, PHILIPPE

Examiner

Justin Michalski

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto (UK Patent Application GB 2,031,2147 A).

Regarding Claim 1, Yamamoto discloses a magnetic circuit (Figure 1) for an electrodynamic loudspeaker with a moving coil (voice coil 5), said magnetic circuit having a shape which is axisymmetric about an axis of symmetry and comprising: a dish-shaped yoke with a flat bottom (yoke 1), whose edge, away from said bottom, is provided projecting toward said axis with respect to the side wall of said dish and defining a circular opening which is recessed with respect to said wall (Figure 1 discloses opening near reference 5); a magnet (magnet 2), placed centrally inside said yoke and borne by said flat bottom; and a cylindrical core (core 3), placed centrally

inside said yoke and borne by said magnet, the part of said core away from the magnet being opposite said circular opening of the yoke and defining, with the later, an annular gap (Yamamoto discloses a gap Page 1, lines 48-55), in which said moving coil (voice coil 5) is placed coaxially with the axis of said magnetic circuit thereby being the clearance height available for the coil inside said yoke being greater than the maximum distance that said coil can travel, inside said yoke, toward the bottom thereof, wherein: the diameter of said magnet is greater than that of said core (Figure 1 discloses length of magnet 2 greater than base of core 3), such that said magnet has a peripheral projection which is annular and radial, with respect to said core; and the clearance height for the coil is limited, on the side facing said magnet, by said peripheral projection, such that this clearance height is determined solely by said core (Figure 12 shows base of core 3 greater than gap limiting clearance height). Yamamoto does not disclose the magnet being disk-shaped. However, one of ordinary skill in the art at the time the invention was made would know that disk-shaped magnets are commonly used in magnetic circuits. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a magnetic in the form of a disk.

Regarding Claim 2, Yamamoto further discloses the peripheral radial projection of the magnet with respect to the core (Figure 1) being less than three time the thickness of the magnet which conforms to being at the most equal to three times the thickness of said magnet.

Regarding Claim 3, Yamamoto further discloses (Figure 1) the peripheral radial projection of the magnet with respect to the core is about the thickness of said magnet.

Regarding Claim 4, Yamamoto further discloses (Figure 1) said core (core 3) comprises, in contact with said magnet (magnet 2), a disk-shaped projecting heel (bottom portion of core 3b), the diameter of which is greater than that of the rest of the core, but smaller than that of the magnet; and the clearance height for the coil is limited, on the side facing said magnet, by said projecting heel.

Regarding Claim 7, Yamamoto further discloses an electrodynamic loudspeaker (Figure 1) which comprises a magnetic circuit.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto as modified as applied to claim 1 above, and further in view of Ssutu (US Patent 6,535,613). Yamamoto discloses a magnetic circuit as stated apropos of claim 1 but does not disclose an axial passage. Ssutu discloses an axial passage (Figure 1) passing through the back plate 24 (i.e. flat bottom of yoke), magnet (magnet 26), and pole piece 30 (i.e. core). Ssutu discloses airflow through the speaker is helpful for cooling the device (Column 1, lines 6-13) avoiding a reduction in acoustic output due to temperature-related voice coil resistance (Column 1, lines 49-56). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an axial passage to allow airflow resulting in a higher quality audio signal.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto as modified as applied to claim 1 above, and further in view of Ueda et al. (US Patent 5,751,828). Yamamoto discloses a magnetic circuit as stated apropos of

claim 1 but does not disclose it being made of a sintered neodymium-iron-boron (Nd-Fe-B) ternary alloy. Ueda et al. discloses a magnetic circuit teaching in order to attain a loudspeaker which is small, light-weight, and thin, rare earth metals are used as a magnet in a loud-speaker such as an anisotropic Nd-Fe-B system sintered magnet. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a magnetic made of Nd-Fe-B to obtain a small, light-weight and thin speaker for a high quality audio output.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yukiyoshi et al. (JP 61219292 A) Yukiyoshi discloses a magnetic circuit (Figure 3) where core 3 is attached above magnet 13.

Konno et al. (JP 62132499 A) Konno et al. discloses a magnetic circuit (Figure 3) where core 3 is atop magnet 4.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Michalski whose telephone number is (703)305-5598. The examiner can normally be reached on 8 Hours, 5 day/week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Isen can be reached on (703)305-4386. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

JIM


XU MEI
PRIMARY EXAMINER